

SCHIFF HARDIN LLP

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6600 Sears Tower, Chicago, Illinois 60606-6473 • (312) 258-5500
Facsimile (312) 258-5700

ATTORNEY NO.: 1687

CLIENT/MATTER NO.: 26965-3021

DATE: October 19, 2006

FACSIMILE TRANSMITTAL SHEET**TO THE FOLLOWING:**

Name	Company	Fax Number	Phone Number
EXAMINER DANIEL SWERDLOW	United States Patent Office Group 2615	(571)2738300	

FROM: Steven H. Noll

DIRECT DIAL NO.: (312) 258-5790

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COMMENTS:

Tom Weldner, "FEEDBACK COMPENSATION METHOD AND CIRCUIT FOR AN ACOUSTIC AMPLIFICATION SYSTEM, AND HEARING AID DEVICE EMPLOYING SAME" Filed September 10, 2003, USSN 10/659,230, Our Case No. P03,0361 (26965-3021))

RESPONSE UNDER 37 C.F.R. § 1.116 TO THE JULY 19, 2006 OFFICE ACTION

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SCHIFF, HARDIN LLP

PATENT DEPARTMENT

6600 SEARS TOWER

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606

GROUP ART UNIT: 2615

IN RE APPLICATION OF:

Tom Weidner

SERIAL NO.:

10/659,230

EXAMINER: Daniel Swerdlow

FILED:

September 10, 2003

CONFIRMATION NO.: 3480

TITLE: FEEDBACK COMPENSATION METHOD AND CIRCUIT FOR AN ACOUSTIC AMPLIFICATION SYSTEM, AND HEARING AID DEVICE EMPLOYING SAME

RESPONSE UNDER 37 C.F.R. § 1.116 TO THE JULY 19, 2006 OFFICE ACTION

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Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*69	MINUS	69	X	() X 25.00 () X 50.00	
INDEP. CLAIMS	*3	MINUS	3	X	() X 100.00 () X 200.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$180.00 () \$360.00 ONE TIME	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

**

If the entry in Column 2 is less than the entry in Column 4, write "20" in this space.

- ☐ Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ is attached.
- ☐ A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached.
- ☐ A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.
- When phoning re this application, please call (312) 258-5500.

SCHIFF, HARDIN LLP (Customer Number: 26574)

Patent Department

BY

Steven H. Noll

(28.982)

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Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

SIGNATURE

October 19, 2006

DATE

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SCHIFF, HARDIN LLPPATENT DEPARTMENT
6600 SEARS TOWER
233 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606

OCT 19 2006

IN RE APPLICATION OF: Tom Weidner
 SERIAL NO.: 10/659,230
 FILED: September 10, 2003
 TITLE: FEEDBACK COMPENSATION METHOD AND CIRCUIT FOR AN ACOUSTIC AMPLIFICATION SYSTEM, AND HEARING AID DEVICE EMPLOYING SAME

GROUP ART UNIT: 2615

EXAMINER: Daniel Swerdlow

CONFIRMATION NO.: 3480

RESPONSE UNDER 37 C.F.R. § 1.116 TO THE JULY 19, 2006 OFFICE ACTION**MAIL STOP AT**

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 Alexandria, Virginia 22313-1450
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TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

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- ☐ Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.
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SCHIFF, HARDIN LLP (Customer Number: 26574)

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Steven H. Noll
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October 19, 2006
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RESPONSE UNDER 37 C.F.R. § 1.116 TO THE JULY 19, 2006 OFFICE ACTION**

APPLICANT: Tom Weidner GROUP ART UNIT: 2615
SERIAL NO.: 10/659,230 EXAMINER: Daniel Swerdlow
FILED: September 10, 2003 CONFIRMATION NO.: 3480
TITLE: FEEDBACK COMPENSATION METHOD AND CIRCUIT FOR
 AN ACOUSTIC AMPLIFICATION SYSTEM, AND HEARING AID
 DEVICE EMPLOYING SAME

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Alexandria, Virginia 22313-1450

S I R:

Applicant and his counsel have carefully reviewed the Final Rejection dated July 19, 2006, but believe the claims in their present form are patentable over the teachings of the references relied upon by the Examiner. Reconsideration of the application in view of the following arguments in support of patentability is therefore respectfully requested.

REMARKS

In the Office Action dated July 19, 2006, claims 1, 10-12, 14-36, 45-47 and 49-69 were rejected under 35 U.S.C. §102(e) as being anticipated by Kates '986. Claims 1-9 and 36-34 were rejected under 35 U.S.C. §102(b) as being anticipated by Kates '884. Claims 13 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kates '986 in view of Weidner.

Applicant notes with appreciation the interview courteously afforded the undersigned representative of the Applicant on October 18, 2006. The discussion at the interview focused on the Kates '986 reference, namely whether the frozen filter